

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANURAG GUPTA, and ALEEAA GUPTA

Plaintiffs,

v.

RANJAN GUPTA and ANGELA GUPTA,

Defendants.

Case No. 16-cv-02197

Honorable Jorge L. Alonso

**PLAINTIFFS' MOTION TO COMPEL  
DEFENDANT ANGELA GUPTA'S DISCOVERY RESPONSES**

Plaintiffs, Anurag Gupta and Aleea Gupta (together "Plaintiffs"), by and through their undersigned counsel, state as follows as their *Motion to Compel Defendant Angela Gupta's Discovery Responses* (the "Motion"):

1. On June 8, 2016, Plaintiff served discovery on Defendant Angela Gupta ("Ms. Gupta"), comprised of both Requests for Production and Interrogatories. *See* Ex. A, attached hereto.

2. On July 7, 2016, one of Ms. Gupta's lawyers asked for an extension until July 25 to respond to that discovery, which Plaintiffs granted. At the same time, Plaintiffs asked for dates for Ms. Gupta's deposition. *See* Ex. B, attached hereto.

3. Having heard no response, Plaintiffs attempted to negotiate a date by which they would have responses, and followed up on July 26 and July 28. *See* Ex. C, attached hereto. Ms. Gupta's counsel indicated he would follow up on a response on July 28. *Id.*

4. Plaintiffs again sought those discovery responses on August 1. *See* Ex. D, attached hereto.

5. The parties continued to engage in settlement discussions but, again on August 4, Plaintiffs asked that the long overdue discovery responses be provided by August 5. *See* Ex. E, attached hereto (“In the meantime, can you confirm we’ll have your client’s discovery responses by tomorrow? I’m hoping we can work something out, but I can’t stand still in the interim.”).<sup>1</sup>

6. On August 10, Ms. Gupta’s counsel indicated the discovery was overdue but did not commit to a date to respond to discovery. *See* Ex. F, attached hereto (“I know our discovery is overdue but I’d hate to have my client spend money on discovery when that money can be better served paying the debt back.”).

7. On August 23, Plaintiffs had still received no discovery responses. On that date, Plaintiffs communicated the need to file this Motion based on that lack of response. *See* Ex. G, attached hereto.

8. While the parties continue to engage in productive settlement discussions, the current close of fact discovery, pursuant to this Court’s July 7, 2016 Order, is September 6, 2016. [Dkt. # 26]

9. As of today, Ms. Gupta’s responses are more than 50 days overdue and she has not provided her availability for her deposition.

10. Plaintiffs will be prejudiced in their ability to prove their causes of action without Ms. Gupta fulfilling her obligations, under the Federal Rules of Civil Procedure, to both respond to Plaintiffs’ discovery and sit for her deposition as a party to this action.

11. Plaintiffs many attempts at conferring and reaching a mutually agreeable approach on the responses have been unsuccessful.

---

<sup>1</sup> Plaintiffs have redacted the portions of the exhibits with specific details of settlement proposals so as to protect the confidentiality of those proposals.

12. Concurrent with this Motion, Plaintiffs' have filed their Motion to Extend Discovery so that they may have adequate time to review Ms. Gupta's discovery responses and take her deposition. [Dkt. # 27]

**WHEREFORE**, Plaintiffs, Anurag Gupta and Alea Gupta, by and through their undersigned counsel, respectfully asks this Court enter an Order compelling Defendant Angela Gupta to (a) respond to Plaintiffs' June 8, 2016 discovery requests, including document production, on or before September 9, 2016; (b) attend her deposition on or before September 30, 2016; and (c) for all such further relief as may be appropriate.

Dated: September 1, 2016

RESPECTFULLY SUBMITTED,

By: /s/ Ethan E. White  
Ethan E. White  
John P. Killacky  
Michael I. Leonard  
LEONARDMEYER LLP  
120 North LaSalle, Suite 2000  
Chicago, Illinois 60602  
(312) 380-6634 (direct)  
ewhite@leonardmeyerllp.com  
jkillacky@leonardmeyerllp.com  
mleonard@leonardmeyerllp.com

**CERTIFICATE OF SERVICE**

The undersigned certifies that on September 1, 2016, a true and correct copy of the foregoing *Motion to Compel Defendant Angela Gupta's Discovery Responses* was electronically filed with the Clerk of the Court of the United States District Court for the Northern District of Illinois using the Court's CM/ECF system, sending notice of electronic filing to all counsel of record.

By: /s/ Ethan E. White \_\_\_\_\_  
Ethan E. White  
LEONARDMEYER LLP  
120 North LaSalle, Suite 2000  
Chicago, Illinois 60602  
(312) 380-6634 (direct)  
ewhite@leonardmeyerllp.com

# **Exhibit A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANURAG GUPTA, and ALEEA GUPTA

Plaintiffs,

v.

RANJAN GUPTA and ANGELA GUPTA,

Defendants.

Case No. 16-cv-02197

Honorable Jorge L. Alonso

**CERTIFICATE OF SERVICE**

TO: Daniel W. Tarpey  
Kevin T Mocogni  
225 W. Wacker Drive, Suite 1515  
Chicago, IL 60606  
(312) 948-9090  
dtarpey@tarpeywix.com  
kmocogni@tarpeywix.com

I, Ethan E. White, an attorney, certify that before 5:00 p.m. on June 8, 2016, I caused a copy of the following to be served upon the above named attorneys via U.S. Mail and electronic mail: *Plaintiffs' First Request For Production Of Documents To Defendant Angela Gupta* and *Plaintiffs' First Set Of Interrogatories To Defendant Angela Gupta*.

Dated: June 8, 2016

RESPECTFULLY SUBMITTED,

By: /s/ Ethan E. White \_\_\_\_\_  
Ethan E. White  
John P. Killacky  
Michael I. Leonard  
LEONARDMEYER LLP  
120 North LaSalle, Suite 2000  
Chicago, Illinois 60602

(312) 380-6634 (direct)  
ewhite@leonardmeyerllp.com  
jkillacky@leonardmeyerllp.com  
mleonard@leonardmeyerllp.com

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANURAG GUPTA, and ALEEAA GUPTA

Plaintiffs,

v.

RANJAN GUPTA and ANGELA GUPTA,

Defendants.

Case No. 16-cv-02197

Honorable Jorge L. Alonso

**PLAINTIFFS' FIRST SET OF  
INTERROGATORIES TO DEFENDANT ANGELA GUPTA**

Plaintiffs, Anurag and Aleea Gupta, by and through their undersigned counsel, pursuant to the Federal Rules of Civil Procedure, submits the following Interrogatories to be answered by the Defendant Angela Gupta within thirty (30) days of the date of service of this document.

**DEFINITIONS AND INSTRUCTIONS**

- A. The Definitions set forth in Plaintiffs' First Request for Production of Documents to Defendant Angela Gupta are hereby incorporated by reference as if fully set forth herein.
- B. Each Interrogatory shall be accorded a separate answer.
- C. If you refuse to answer any Interrogatory in whole or in part, describe the basis of your refusal to answer or respond, including any claim of privilege, in sufficient detail so as to permit the Court to adjudicate the validity of your refusal, and identify each statement, communication or document for which a privilege is claimed, specifying: (a) with respect to communications or statements, (i) the date of the communications or statements; (ii) the names of persons present; (iii) subject matter; and (iv) the basis on which the privilege or protection is claimed; (b) with respect to documents, (i) the date of the document; (ii) identification by name

and job title of each person who wrote, drafted, or assisted in the preparation of the document; (iii) identification by name and job title of each person who received or has custody of the document or copies thereof; (iv) identification by name and job title of each person who has reviewed or had access to the document or copies thereof or to whom any portion of the contents has been communicated; and (v) a brief description of the nature and subject matter of the document.

D. Whenever in these Interrogatories there is a request to “identify” a person, state: (i) the person's full name; (ii) his or her present or last known residence and business address; (iii) his or her present or last known residence and business telephone number; and (iv) his or her present or last known business title or position.

E. If you object to a portion of any Interrogatory, you are instructed to answer the remainder.

F. All relevant portions of the Federal Rules of Civil Procedure are incorporated herein by reference.

G. This discovery shall be deemed to be continuing and shall require that you serve and/or produce, in the form of supplementary responses, any information, documents and/or tangible things requested herein which are unavailable to you or of which you are unaware, at the time you submit your responses, but which become available to you, or of which you become aware, up to and including the time of trial. Similarly, any responses to these Interrogatories which are later found to be incorrect or incomplete or to have become incorrect or incomplete because of changed circumstances shall be corrected or completed by means of supplementary responses.

### **INTERROGATORIES**

1. Please identify every person who assisted in responding to these Interrogatories including complete name, address and telephone number.

**RESPONSE:**

2. Identify (providing full name, business and residential address, business and residential/cell phone number, and e-mail addresses) all persons who possess knowledge of the allegations set forth in Plaintiffs' currently pending Complaint in this action, and, with respect to each such person, provide a brief summary of his/her knowledge. Identify all documents supporting or relating to each such person's knowledge.

**RESPONSE:**

3. Identify each and every bank account (including bank name, bank address, account number, and name(s) on account) into which the funds (as identified in the currently pending Complaint) received from Plaintiffs, or either of them, were deposited.

**RESPONSE:**

4. Identify the date and dollar amount for every dollar received from Plaintiffs to you or Defendant Ranjan Gupta, from January 1, 2013 to present. For each, respond whether those dollars were received pursuant to any written or oral agreement and identify such agreement.

**RESPONSE:**

5. Identify your usage of any funds you received from Plaintiffs, from January 1, 2013 to present, including but not limited to the date and amount of the expenditure and the payee.

**RESPONSE:**

6. Identify (providing full name; residential and business address; phone number(s); and email addresses) each and every person who possesses knowledge, in whole or part, of Defendants' defenses to Plaintiff's allegations in his Complaint in this action. Identify all documents supporting or relating to such knowledge.

**RESPONSE:**

7. Other than the present case, have you ever been a plaintiff/complainant or defendant/respondent in a charge, claim and/or lawsuit in any federal, state and/or local court or agency? If so, state the court/tribunal/agency name and location in which the claim was filed, the caption and case number (or charge or claim number), a description of the nature of the charge, lawsuit or claim, and a description of the resolution of the charge, lawsuit or claim.

**RESPONSE:**

8. State the names, addresses and telephone numbers of all persons plaintiff may call as witnesses at the trial of this case and identify all documents supporting or relating to each such person's knowledge.

**RESPONSE:**

9. State and explain all facts, circumstances and opinions and identify all documents, on which you base your allegation in your Third Affirmative Defense that Plaintiffs' "unclean hands bar all or part of their claim."

**RESPONSE:**

10. State and explain all facts, circumstances and opinions and identify all documents, on which you base your allegation in your Fourth Affirmative Defense that Plaintiffs "fail[ed] to mitigate its [*sic*] damages."

**RESPONSE:**

11. State and explain all facts, circumstances and opinions and identify all documents, on which you base your allegation in your Seventh Affirmative Defense that Angela Gupta "is not a proper party Defendant."

**RESPONSE:**

12. Identify the cellphone carrier and cellphone number used by you to send any text messages to Defendant Ranjan Gupta or either Plaintiff from January 1, 2013 to present.

**RESPONSE:**

13. Identify the Facebook account used by you to send any messages or post any information relating to either Plaintiff from January 1, 2013 to present.

**RESPONSE:**

14. Identify each and every email account used by you to send any messages or post any information relating to either Plaintiff from January 1, 2013 to present.

**RESPONSE:**

15. Identify any and all documents in your possession, custody, or control, and which related to monies received from Plaintiffs, or either of them, from January 1, 2013 to present.

**RESPONSE:**

16. Identify and describe all communications (oral and written) you had with Ranjan Gupta, related to monies received from either Plaintiff, from November 1, 2013 to and including the date you sign these interrogatory answers, and include in your answer the date of the communication(s), whether it was written or oral, what was said and by whom, identify any witnesses to the communication and identify and describe all documents related to the communication.

**RESPONSE:**

17. Identify and describe all communications (oral and written) you had with either Plaintiff, related to monies received from either Plaintiff, from January 1, 2013 to and including the date you sign these interrogatory answers, and include in your answer the date of the communication(s), whether it was written or oral, what was said and by whom, identify any witnesses to the communication and identify and describe all documents related to the communication.

**RESPONSE:**

Dated: June 7, 2016

RESPECTFULLY SUBMITTED,

By: /s/ Ethan E. White  
Ethan E. White  
John P. Killacky  
Michael I. Leonard  
LEONARDMEYER LLP  
120 North LaSalle, Suite 2000  
Chicago, Illinois 60602  
(312) 380-6634 (direct)  
ewhite@leonardmeyerllp.com  
jkillacky@leonardmeyerllp.com  
mleonard@leonardmeyerllp.com

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ANURAG GUPTA, and ALEEAA GUPTA

Plaintiffs,

v.

RANJAN GUPTA and ANGELA GUPTA,

Defendants.

Case No. 16-cv-02197

Honorable Jorge L. Alonso

**PLAINTIFFS' FIRST REQUEST FOR  
PRODUCTION OF DOCUMENTS TO DEFENDANT ANGELA GUPTA**

Plaintiffs, Anurag and Alea Gupta, by and through their undersigned counsel, pursuant to the Federal Rules of Civil Procedure, submits the following Request for Production to be answered by the Defendant Angela Gupta within thirty (30) days of the date of service of this document.

**DEFINITIONS**

1. "And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these Interrogatories all responses which might otherwise be construed to be outside their scope.

2. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each". Similarly, "any" shall be construed to include the word "all", and "all" shall be construed to include the word "any".

3. "Documents" shall be construed in the broadest sense permissible under the Civil Rules of Procedure and means, without limitation: any written, printed, typed, photocopied, photographed, recorded, or otherwise reproduced or stored communication or representation,

whether comprised of letters, words, numbers, data, pictures, sounds, or symbols, or any combination thereof. This definition includes copies or duplicates of documents contemporaneously or subsequently created which have any non-conforming notes or other markings. Without limiting the generality of the foregoing, “documents” includes, but is not limited to: correspondence, memoranda, notes, records, letters, envelopes, telegrams, messages, studies, analyses, contracts, agreements, working papers, accounts, ledgers, work sheets, spreadsheets, cancelled checks, bank statements, proofs, prescriptions, labels, sheets, punch cards, print-out sheets, appointment books, registers, charts, tables, papers, financial statements, purchase orders, analytical records, reports and/or summaries of investigations, trade letters, press releases, comparisons, books, calendars, diaries, articles, magazines, newspapers, booklets, brochures, pamphlets, circulars, bulletins, notices, drawings, diagrams, instructions, notes or minutes of meetings or of other communications of any type, including inter-office and intra-office communications, electronic mail/messages and/or “e-mail,” electronically stored telephone messages and/or “voice mail,” questionnaires, surveys, graphs, photographs, phonograph recordings, films, tapes, disks, data cells, print-outs of information stored or maintained by electronic data processing, word processing, or other computer equipment, all other data compilations from which information can be obtained (by translation, if necessary, by you through detection devices into useable form), including, without limitation, electromagnetically sensitive storage media such as floppy disks, hard disks and magnetic tapes, and any preliminary versions, as well as drafts or revisions, of any of the foregoing.

4. “Communication” and “communications” are used in a comprehensive sense, and mean and include every conceivable manner or means of disclosure, transfer or exchange of oral or written information (in the form of facts, ideas, inquiries, or otherwise) between one or more

persons or entities, including, but not limited to, writings, documents, interoffice and intra-office memoranda, correspondence, meetings, conferences, conversations, and/or agreements, whether face-to-face, by telephone, by mail, by telecopier, by telex, by computer, or otherwise.

5. “Relate to,” “related to,” or “relating to” when used in reference to a stated subject means all of the following:

(1) containing, comprising, constituting, stating, setting forth, reporting, including, negating, or manifesting in any way, whether in whole or in part, that subject; and

(2) describing, mentioning, discussing, reflecting, interpreting, identifying, concerning, contradicting, referring to, or in any way pertaining to, whether in whole or in part, that subject.

### **INSTRUCTIONS**

1. The singular of any word includes the plural and the plural includes the singular.

2. The requested documents each include all attachments to the specifically described documents, all envelopes, explanatory notes or memoranda, and any other material that accompanied the document(s).

3. Documents not otherwise responsive to this discovery request shall be produced if such documents mention, discuss, refer to, or explain the documents which are called for by this discovery request, or such documents are attached to documents called for by this discovery request.

4. Each document requested herein is requested to be produced in its entirety and without deletion or excisions, regardless of whether you consider the entire document to be relevant or responsive to these requests. If you redact any portion of a document, it should stamp the word “redacted” on each page of the document that has been redacted. Redactions should be included on the privilege log described below.

5. If you claim that any response or any document that is required to be produced in response to any of these document requests is privileged or otherwise protected from disclosure, then you shall produce a privilege log providing the following information with respect to each such document:

- (1) identify its title and general subject matter;
- (2) state its date;
- (3) identify its author(s);
- (4) identify the person(s) for whom it was prepared or to whom it was sent;
- (5) state the nature of the privilege claimed; and
- (6) state in detail each and every fact upon which the claim of privilege is based.

6. If at any time possession, custody, or control of any document responsive to these Requests has been relinquished or any such document has been destroyed, identify each document as explained in paragraph 10 above and, as to existing documents, identify the person who has possession, custody, or control of such documents.

### **REQUESTS FOR PRODUCTION**

1. Each and every communication, in whatever format, between you and Defendant Ranjan Gupta, and related in any way to any funds received from Plaintiffs, or either of them, from January 1, 2013 to present.

#### **RESPONSE:**

2. Each and every communication, in whatever format, between you and either Plaintiff, and related in any way to any funds received from Plaintiffs, or either of them, from January 1, 2013 to present.

#### **RESPONSE:**

3. Each and every communication, in whatever format, between you and any person, other than your lawyer, and related in any way to any funds received from Plaintiffs, or either of them, from January 1, 2013 to present.

**RESPONSE:**

4. Each and every text message, between you and Defendant Ranjan Gupta, and related in any way to any funds received from Plaintiffs, or either of them, from January 1, 2013 to present.

**RESPONSE:**

5. Each and every text message, between you and either Plaintiff, and related in any way to any funds received from Plaintiffs, or either of them, from January 1, 2013 to present.

**RESPONSE:**

6. Each and every document, in whatever format, and which you contend supports your denials of any of the allegations in Plaintiffs' currently filed Complaint.

**RESPONSE:**

7. Each and every document, in whatever format, and which you contend supports each of your Affirmative Defenses in this matter.

**RESPONSE:**

8. An electronic copy of your complete Facebook history, including any and all profile information, postings, pictures, and data available—pursuant to Facebook's "Download Your Own Information" feature—from January 1, 2013 to present. To use this feature and complete the download, follow the instructions at <https://www.facebook.com/help/131112897028467/>

**RESPONSE:**

9. All bank statements, in whatever format, for any account maintained by you or Defendant Ranjan Gupta, or the both of your jointly, from January 1, 2013 to present.

**RESPONSE:**

10. A copy of each and every check, in whatever format, sent to Plaintiffs, or either of them, from January 1, 2013 to present.

**RESPONSE:**

11. Your complete State and Federal tax returns from 2013 to present.

**RESPONSE:**

12. Each and every non-privileged document, in whatever format, which relates to your usage of any funds you received from Plaintiffs, from January 1, 2013 to present.

**RESPONSE:**

13. Each and every non-privileged document, including communications with any person, and in whatever format, which relates to the currently filed Complaint, from February 12, 2016 to present.

**RESPONSE:**

14. Each and every non-privileged document, including communications with any person, and in whatever format, which relates to the promissory notes you executed and which are attached to the currently filed Complaint as Exhibits A-D.

**RESPONSE:**

Dated: June 7, 2016

RESPECTFULLY SUBMITTED,

By: /s/ Ethan E. White

Ethan E. White  
John P. Killacky  
Michael I. Leonard  
LEONARDMEYER LLP  
120 North LaSalle, Suite 2000  
Chicago, Illinois 60602  
(312) 380-6634 (direct)  
ewhite@leonardmeyerllp.com  
jkillacky@leonardmeyerllp.com  
mleonard@leonardmeyerllp.com

# **Exhibit B**

**From:** Ethan White ewhite@leonardmeyerllp.com  
**Subject:** Re: Gupta v. Gupta  
**Date:** July 11, 2016 at 8:36 AM  
**To:** Kevin Mocogni Kmocogni@tarpeywix.com  
**Cc:** Dan Tarpey dtarpey@tarpeywix.com

---

Kevin,

That's fine. We'll look for the responses and the production on 7/25. We should also start looking at calendars for your client's deposition in August.

Thanks,  
Ethan

On Jul 7, 2016, at 9:18 PM, Kevin Mocogni <[Kmocogni@tarpeywix.com](mailto:Kmocogni@tarpeywix.com)> wrote:

Ethan,

I wanted to reach out to you and see if you were amenable to an extension on our responses to your discovery requests until July 25<sup>th</sup>. My wife recently gave birth to our second child, so I have been burning the candle at both ends. It would really be appreciated. Thank you.

Regards,

Kevin T. Mocogni  
**TARPEY WIX LLC**  
225 W. Wacker Drive  
Suite 1515  
Chicago, IL 60606  
Main: (312) 948-9090  
Direct: (312) 948-9094  
Email: [kmocogni@tarpeywix.com](mailto:kmocogni@tarpeywix.com)

The contents of this message may be privileged and confidential. Therefore, if this message has been received in error, please delete it without reading it. Your receipt of this message is not intended to waive any applicable privilege. Please do not disseminate this message without the permission of the author.

# **Exhibit C**

**From:** Daniel Tarpey [dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com)  
**Subject:** Re: Gupta v. Gupta  
**Date:** July 28, 2016 at 9:52 AM  
**To:** Ethan White [ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)  
**Cc:** Kevin Mocogni [Kmocogni@tarpeywix.com](mailto:Kmocogni@tarpeywix.com)

---

Ethan, ball in my court on this. I'll call you when I'm back from court.

Sent from my iPhone

On Jul 28, 2016, at 9:41 AM, Ethan White <[ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)> wrote:

Kevin,

Following up on the below, thanks.

Ethan

On Jul 26, 2016, at 9:44 AM, Ethan White <[ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)> wrote:

Kevin,

Confirming the responses are out to us? If you could send electronically as well, I would appreciate it. Also, what August dates work for your client's deposition?

Thanks,  
Ethan

On Jul 11, 2016, at 8:36 AM, Ethan White <[ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)> wrote:

Kevin,

That's fine. We'll look for the responses and the production on 7/25. We should also start looking at calendars for your client's deposition in August.

Thanks,  
Ethan

On Jul 7, 2016, at 9:18 PM, Kevin Mocogni <[Kmocogni@tarpeywix.com](mailto:Kmocogni@tarpeywix.com)> wrote:

Ethan,

I wanted to reach out to you and see if you were amenable to an extension on our responses to your discovery requests until July 25<sup>th</sup>. My wife recently gave birth to our second child, so I have been burning the candle at both ends. It would really be appreciated. Thank you.

Regards,

Kevin T. Mocogni  
**TARPEY WIX LLC**  
225 W. Wacker Drive  
Suite 1515  
Chicago, IL 60606  
Main: (312) 948-9090  
Direct: (312) 948-9094  
Email: [kmocogni@tarpeywix.com](mailto:kmocogni@tarpeywix.com)

The contents of this message may be privileged and confidential. Therefore, if this message has

# **Exhibit D**

**From:** Ethan White [ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)  
**Subject:** Re: Gupta v. Gupta  
**Date:** August 1, 2016 at 10:47 AM  
**To:** Dan Tarpey [dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com)  
**Cc:** Kevin Mocogni [Kmocogni@tarpeywix.com](mailto:Kmocogni@tarpeywix.com)

---

Dan,

I've heard nothing on this - what is the status of the discovery?

Thanks,  
Ethan

On Jul 28, 2016, at 9:52 AM, Daniel Tarpey <[dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com)> wrote:

Ethan, ball in my court on this. I'll call you when I'm back from court.

Sent from my iPhone

On Jul 28, 2016, at 9:41 AM, Ethan White <[ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)> wrote:

Kevin,

Following up on the below, thanks.

Ethan

On Jul 26, 2016, at 9:44 AM, Ethan White <[ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)> wrote:

Kevin,

Confirming the responses are out to us? If you could send electronically as well, I would appreciate it. Also, what August dates work for your client's deposition?

Thanks,  
Ethan

On Jul 11, 2016, at 8:36 AM, Ethan White <[ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)> wrote:

Kevin,

That's fine. We'll look for the responses and the production on 7/25. We should also start looking at calendars for your client's deposition in August.

Thanks,  
Ethan

On Jul 7, 2016, at 9:18 PM, Kevin Mocogni <[Kmocogni@tarpeywix.com](mailto:Kmocogni@tarpeywix.com)> wrote:

Ethan,

I wanted to reach out to you and see if you were amenable to an extension on our responses to your discovery requests until July 25<sup>th</sup>. My wife recently gave birth to our second child, so I have been burning the candle at both ends. It would really be appreciated. Thank you.

Regards,

Kevin T. Mocogni  
**TARPEY WIX LLC**  
225 W. Wacker Drive  
Suite 1515

# **Exhibit E**

**From:** Ethan White ewhite@leonardmeyerllp.com  
**Subject:** Re: Gupta  
**Date:** August 4, 2016 at 11:17 AM  
**To:** Dan Tarpey dtarpey@tarpeywix.com

---

Dan,

One clarification: [REDACTED]  
[REDACTED]

In the meantime, can you confirm we'll have your client's discovery responses by tomorrow? I'm hoping we can work something out, but I can't stand still in the interim.

Thanks,  
Ethan

On Aug 4, 2016, at 12:22 AM, Daniel Tarpey <dtarpey@tarpeywix.com> wrote:

Ethan, one thing we did not discuss during our conversation yesterday regarding getting the case settled [REDACTED]  
[REDACTED]

Daniel W. Tarpey | Partner

**TARPEY | WIX**  
attorneys

**Tarpey Wix LLC** | 225 West Wacker Drive | Suite 1515 | Chicago, IL | 60606 | 312.948.9090  
**D** 312.948.9092 | **F** 312.948.9105 | **C** 773.263.3331 | **E** [dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com) | **W** [www.tarpeywix.com](http://www.tarpeywix.com)

# **Exhibit F**

**From:** Daniel Tarpey [dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com)  
**Subject:** RE: Gupta  
**Date:** August 10, 2016 at 6:02 PM  
**To:** Ethan White [ewhite@leonardmeyerllp.com](mailto:ewhite@leonardmeyerllp.com)

---

Ethan, [REDACTED] ? I know our discovery is overdue but I'd hate to have my client spend money on discovery when that money can be better served paying the debt back. Please let me know. Thanks, Dan

**Tarpey Wix LLC** | 225 West Wacker Drive | Suite 1515 | Chicago, IL | 60606 | 312.948.9090  
**D** 312.948.9092 | **F** 312.948.9105 | **C** 773.263.3331 | **E** [dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com) | **W** [www.tarpeywix.com](http://www.tarpeywix.com)

---

**From:** Ethan White [<mailto:ewhite@leonardmeyerllp.com>]  
**Sent:** Thursday, August 4, 2016 11:18 AM  
**To:** Daniel Tarpey <[dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com)>  
**Subject:** Re: Gupta

Dan,

One clarification: [REDACTED]  
[REDACTED]

In the meantime, can you confirm we'll have your client's discovery responses by tomorrow? I'm hoping we can work something out, but I can't stand still in the interim.

Thanks,  
Ethan

On Aug 4, 2016, at 12:22 AM, Daniel Tarpey <[dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com)> wrote:

Ethan, one thing we did not discuss during our conversation yesterday regarding getting the case settled [REDACTED]  
[REDACTED]

Dan

Daniel W. Tarpey | Partner

**TARPEY | WIX**  
**attorneys**

**Tarpey Wix LLC** | 225 West Wacker Drive | Suite 1515 | Chicago, IL | 60606 | 312.948.9090  
**D** 312.948.9092 | **F** 312.948.9105 | **C** 773.263.3331 | **E** [dtarpey@tarpeywix.com](mailto:dtarpey@tarpeywix.com) | **W** [www.tarpeywix.com](http://www.tarpeywix.com)

# **Exhibit G**

**From:** Ethan White ewhite@leonardmeyerllp.com  
**Subject:** Gupta  
**Date:** August 23, 2016 at 3:46 PM  
**To:** Dan Tarpey dtarpey@tarpeywix.com

---

Dan,

My clients are not interested in the [REDACTED] but I do think we have a good workable alternative that is basically the same thing. The parties would enter a settlement agreement here with the following terms:

[REDACTED]

[REDACTED]

Please let me know asap if this will work. We're creeping up on the close of discovery and we don't have any responses so if this will not work, we need to get a motion on file.

Thanks,  
Ethan